



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/610,946	06/30/2003	Heidi L. Brishke	YOR920030086US1	4102
7590 Philmore H. Colburn II CANTOR COLBURN LLP 55 Griffin Road South Bloomfield, CT 06002				
EXAMINER CHUMPTIAZ, BOB R				
ART UNIT		PAPER NUMBER		
4115				
MAIL DATE		DELIVERY MODE		
05/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/610,946

Applicant(s)

BRISHKE ET AL.

Examiner

BOB CHUMPITAZ

Art Unit

4115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/CD/CD)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 6-30-2003

DETAILED ACTION

This communication is a Non-Final Office Action in response to application filed on June 3, 2003. Claimed 1-15, as originally filed are presented for examination on the merits.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on June 30, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-7, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Puram et al. (US 6,289,340).

As per claim 1, Puram et al. disclose a method of procuring a supplemental worker for a job, comprising: receiving a request form from a hiring entity for a supplemental worker, said request form including: a work location; (col. 5, line 35-43, preferred geographical region of employment; see also, col. 6, line 54 - col. 7, line 20, position profile, company global hiring rules); and at least one skill type; a skill level associated with said at least one skill type (col. 5, line 60—col. 6, line 15, each selected skill is assigned a skill level; see also, col. 4, line 30-53, skills levels); and a quantity of supplemental workers required for performing said job (col. 7, line 34- 67, employer needs data and satisfactory size); and generating a list of at least one

Art Unit: 4115

supplier candidate by accessing a data repository, said list of at least one supplier candidate satisfying criteria provided in said request form (col. 7, line 22-27, search result for candidates whose skills profiles match or exceeds specific criteria; see also, col. 8, line 35-46); and providing said list of at least one supplier candidate to said hiring entity (col. 6, line 66 - col. 7, line 2, storage medium consisting of candidate skills; see also, col. 7, lines 4-39, generates a sub-pool of qualified candidates); and wherein said data repository stores predefined skill types, predefined skill levels, supplier locations, and pre-negotiated pay rates (col. 2, line 44-58, storage medium; see also, col.8, line 61 – col. 9, line 10, compare rates charged by each candidate to market rate).

As per claim 3, Puram et al. further disclose wherein said skill types are coded and selectable by said hiring entity (col. 4, lines 6-22, auxiliary table correlates a numerical value with specific skill or experience level).

As per claim 4, Puram et al. further disclose wherein said request form includes an editable text field operable for entering a skill type (col. 3, lines 50-58, tables or worksheets where candidate enters or alters skill type and skill level).

As per claim 5, Puram et al. further disclose wherein said request form includes a pay category option operable for calculating a salary (col.8, line 61 - col. 9, line 10, market analysis and pay rate based on a short list of qualified candidates).

As per claim 6, Puram et al. further disclose wherein information relating to said list of at least one supplier candidate is stored in said data repository, said information including: a supplier name; a supplier address; a supplier telephone number; a point of contact; and pre-

negotiated pricing information based upon skill types and skill levels (col. 2, line 59 – col. 3, line 17, database for candidate skills information).

As per claim 7, Puram et al. disclose a storage medium encoded with machine-readable computer program code for procuring a supplemental worker for a job, said storage medium including instructions for causing a computer to implement: receiving a request form from a hiring entity for a supplemental worker, said request form including: a work location; at least one skill type; a skill level associated with said at least one skill type; and a quantity of supplemental workers required for performing said job; generating a list of at least one supplier candidate by accessing a data repository, said list of at least one supplier candidate satisfying criteria provided in said request form; and providing said list of at least one supplier candidate to said hiring entity; wherein said data repository stores predefined skill types, predefined skill levels, supplier locations, and pre-negotiated pay rates (col. 2, lines 35-58, apparatus, system, and method use relational databases; see also, Figs. 1a-1b, and associated text).

As per claim 9, Puram et al. further disclose wherein said skill types are coded and selectable by said hiring entity (col. 4, lines 15-22 and col. 4, lines 54-67, auxiliary table wherein skill level is correlated with a numerical value; see also, col.5, line 29-34, storage medium).

As per claim 10, Puram et al. further disclose wherein said request form includes an editable text field operable for entering a skill type (col. 4, lines 54-67, candidate enters or alters skills in a table; see also, col.5, line 29-34, storage medium).

As per claim 11, Puram et al. further disclose wherein said request form includes a pay category option operable for calculating a salary (col. 8, line 47 – col. 9, line 10, apparatus used

Art Unit: 4115

to perform market price analysis and pay rate for candidate in respect to skills; see also, col.5, line 29-34, storage medium).

As per claim 12, Puram et al. further disclose wherein information relating to said list of at least one supplier candidate is stored in said data repository, said information including: a supplier name; a supplier address; a supplier telephone number; a point of contact; and pre-negotiated pricing information based upon skill types and skill levels (col. 5, line 29-43, storage medium associated with information for the candidate).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puram et al. in view of O'Neill (US 2004/0059583).

As per claim 2, Puram et al. disclose claim 1 as rejected above but does not explicitly disclose upon acceptance of said request form, automatically transmitting said request form to a requisitioning tool, said requisitioning tool operable for generating a requisition; and upon approval of said requisition, automatically transmitting said requisition to a procurement engine, said procurement engine operable for generating a purchase order.

O'Neill teaches wherein reports are automatically generated in accordance with workflow once a purchase order is approved; an automatic reminders or notices that are sent to the designated parties which assists in managing the talent, provides a screen shot of a menu that

allows selection for creating new purchase orders (pg. 3 ¶ [0038-0039 reports automatically generated, confirming approval, manage procurement and administration, creating new purchase orders; see also ¶ [0008, providing reports and automated notices]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer hosted method and system of Puram et al. by including a process that automatically generates a request form as taught by O'Neill in order to provide a method and system with comprehensive reporting which will therefore improve back office processes and will provide for best service practices.

As per claim 8, Puram et al. disclose claim 7 as rejected above but does not explicitly disclose the storage medium of claim 7 further comprising instructions for causing said computer to implement: upon acceptance of said request form, automatically transmitting said request form to a requisitioning tool, said requisitioning tool operable for generating a requisition; and upon approval of said requisition, automatically transmitting said requisition to a procurement engine, said procurement engine operable for generating a purchase order.

O'Neill discloses a computer readable media that executes instructions and interfaces with different fields that gather and store information from a database (pg. 2 ¶ [0028, computer executed instructions stored in a computer readable media; and ¶ [0031-0032, fields in the interfaces that are automatically filled with prior purchase order information gathered from database; see also ¶ [0038-0039, reports are automatically generated in accordance to workflow rules]; see also ¶ [0054 screens are one example of interface]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer hosted method and system of Puram et al. by including a

database where information is stored and inputted via an interface as taught by O'Neill in order to be more efficient and minimize the efforts or time to generate new purchase orders.

Claims 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Neill or Puram et al.

As per claim 13, O'Neill and Puram et al. disclose a host system in communication with at least one hiring entity, at least one supplier entity, and a commodity council entity, said host system (O'Neill: pg. 2, ¶ [0029-0031, talent management system coupled with at least one workplace company and multiple supplier entities]; Puram et al.: col. 3, lines 17-45, computer connected via network with candidate entity, employer entity, and a database; see also Fig. 1c and associated text) comprising: a server executing a requisitioning tool, a procurement engine, and a workflow application (O'Neill: pg.2 ¶ [0029-0030, server, Fig. 1 item 120]; Puram et al.: col. 3, lines 30-39, server that carries and access databases which stores and process data, see also Fig. 1c, item 55); and a data repository in communication with said server via a network, said data repository storing predefined skill types, predefined skill levels, supplier locations, and pre-negotiated pay rates (O'Neill: pg. 2 ¶ [0028-0029 and 0033, database comprising information related to supplier entities, see also Fig. 1 item 115]; Puram et al: col. 2, lines 44-58, storage medium, see also Fig. 1a, item 10); and a supplemental workforce system executing on said server (O'Neill: pg. 2, [0031, workplace manager operating in a webserver; see also Fig. 1, item 110]; Puram et al.: Fig.. 1b, item 25, network and internet server); and a request form generated by said supplemental workforce system; (O'Neill: pg. 3 [0038 reports; see also, Fig. 4 item 470]; Puram et al.: col. 3, lines 50-67, tables or worksheets, see also Figs. 5-11b, and associated text). Puram et al. discloses wherein said supplemental workforce system performs: receiving a

completed request form from a hiring entity for a supplemental worker, said completed request form including a work location (col. 5, line 35-43, preferred geographical region of employment; see also, col. 6, line 54 - col. 7, line 20, position profile, company global hiring rules); and at least one skill type, a skill level associated with said at least one skill type (col. 5, line 6 - col. 6, line 15, each selected skill is assigned a skill level; see also, col. 4, line 30-53, skills levels); and a quantity of supplemental workers required for performing said job (col. 7, line 34- 67, employer needs data and satisfactory size); and generating a list of at least one supplier candidate by accessing said data repository, said list of at least one supplier candidate satisfying criteria provided in said completed request form; and providing said list of at least one supplier candidate to said hiring entity (col. 6, line 66 - col. 7, line 2, storage medium consisting of candidate skills; see also, col. 7, lines 4-39, generates a sub-pool of qualified candidates).

As per claim 14, O'Neill and Puram et al. further discloses wherein said supplemental workforce system automatically transmits said completed request form with an approved supplier candidate to said requisitioning tool operable for generating a requisition (O'Neill: pg. 2 ¶ [0035 - pg. 3 ¶ 0038, purchase order approval and reports are automatically generated]; Puram et al.: col. 7, lines 5-20, computing device that performs automated data processing, see also Fig. 3, and associated text).

As per claim 15, O'Neill and Puram et al. further discloses wherein said supplemental workforce system automatically transmits said requisition to said procurement engine operable for generating a purchase order (O'Neill: pg. 3, ¶ [0038-0040, reports automatically generated in accordance with workflow and a purchase order request interface]; Puram et al.: col. 8, lines 30-60, apparatus, system, and method provides instantaneous searching and matching).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lacy et al. (US 6,524,109) disclose a system and method for performing skills set assessment using a hierarchical minimum skill set definition.
- Arrowood (US 2002/0010614) discloses a computer-implemented and/or computer-assisted web database and/or interaction system for staffing of personnel in various employments related fields.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOB CHUMPITAZ whose telephone number is (571) 270-5494. The examiner can normally be reached on M-F: 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BRADLEY BAYAT can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4115

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

B. C.

Examiner, Art Unit 4115

/Bradley B Bayat/

Supervisory Patent Examiner, Art Unit 4115